



Control Number: 41657



Item Number: 8

Addendum StartPage: 0

Donna L. Nelson
Chairman

Kenneth W. Anderson, Jr.
Commissioner



Rick Perry
Governor

2013 AUG 16 AM 11:09

Brian H. Lloyd
Executive Director

Public Utility Commission of Texas

TO: Thomas M. Forte
Consultant
2600 Maitland Ctr. Pkwy, Ste. 300
Maitland, FL 32751

Infrastructure and Reliability Division
Legal Division

RE: **Docket No. 41657 - Application of Excel Telecommunications, Inc. to Relinquish its Service Provider Certificate of Operating Authority**

NOTICE OF APPROVAL

This Notice addresses the application of Excel Telecommunications, Inc. (Excel or Applicant) to relinquish a Service Provider Certificate of Operating Authority (SPCOA). Commission Staff recommends approval of the application. The application is approved.

Statutory Findings

1. Excel was granted SPCOA No. 60228 in Docket No. 19597 on February 8, 1999.
2. Applicant is currently certificated as a facilities-based and resale telecommunications service provider for the exchanges of Southwestern Bell Telephone Company d/b/a AT&T Texas throughout the State of Texas.
3. On July 8, 2013, Excel requested relinquishment of SPCOA No. 60228.
4. Applicant filed this docket because Excel was purchased by Matrix Telecom, Inc.
5. Because Excel no longer has any customers, no customer notice was required or is warranted.
6. Applicant was not required to provide any additional or clarifying technical information regarding this application for relinquishment.



7. Excel is technically compliant with the relinquishment criteria set out in P.U.C. SUBST. R. 26.111.
8. Applicant filed a copy of this application with the Commission on State Emergency Communications, the Texas Comptroller's Office, the Texas Secretary of State, and the Administrator of the Texas Universal Fund.
9. Commission Staff also provided notification of Excel's intent to relinquish its certificate to the Commission on State Emergency Communications, the Texas Comptroller's Office, the Texas Secretary of State, and the Administrator of the Texas Universal Fund.
10. The Commission's Customer Protection Division complaint database revealed that 19 complaints exist for Excel and four complaints exist for Matrix Telecom, Inc. for the previous 60 months.
11. Excel provided its number of customers as zero for the previous 60 months.
12. Applicant had a complaint-to-customer ratio of less than six percent; therefore, no further investigation was required.
13. The Commission's Oversight & Enforcement database revealed no outstanding notices of violation against Excel or Matrix Telecom, Inc.
14. Applicant is not in compliance regarding its 2013 CLEC Annual Report requirement and not in compliance with its HB 1777 quarterly access line count.
15. Commission Staff determined Excel's status with the Texas Secretary of State is "Involuntary Dissolved" as of June 13, 2007.
16. Commission Staff determined Applicant's status with the Texas Comptroller's Office was involuntarily ended.
17. Commission Staff determined that Matrix Telecom, Inc.'s status with the Texas Comptroller's Office is "Active."

Ordering Paragraphs

- 18. The application of Excel Telecommunications, Inc. to relinquish its facilities-based and resale telecommunications SPCOA No. 60228 is approved¹ pursuant to P.U.C. SUBST. R. 26.111. SPCOA No. 60228 is relinquished effective the date of this Notice of Approval.
- 19. Applicant shall cease all operations and cancel any tariffs or interconnection agreements associated with SPCOA No. 60228. Applicant shall notify the Commission on State Emergency Communications that the certificate has been relinquished.
- 20. All other motions, requests for entry of specific findings of fact and conclusions of law, and any other requests for general or specific relief, if not expressly granted herein, are hereby denied.

SIGNED AT AUSTIN, TEXAS the 16th day of August 2013.

PUBLIC UTILITY COMMISSION OF TEXAS



SUSAN E. GOODSON
ADMINISTRATIVE LAW JUDGE

q:\cadm\doCKET management\telephone\coaspcoa\41xxx\41657spcoasrelinquish.docx

¹ Administrative approval of this uncontested application has no precedential value in a future proceeding.